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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,809	03/06/2002	Junko Hirota	500.36774VX1	6895

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MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.
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SUITE 370
ALEXANDRIA, VA 22314

EXAMINER

APPLE, KIRSTEN SACHWITZ

ART UNIT	PAPER NUMBER
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3693

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/090,809

Applicant(s)

HIROTA ET AL.

Examiner

Kirsten S. Apple

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/20/05-11/26/02-3/6/02</u> | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

This action is in response to the application filed on 3/6/02.

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35

U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. JAPAN 09-352243 filed on 12/05/1997.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 2, 8, 15-19 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. It is recommend that the claims and application be give to a party unfamiliar with the application and receive feedback on what is unclear and that correct action is taken to simplify and clarify the claim language.

In particular it is indefinite and the examiner did not understand in claim 17:

“into a “used” state thereof after confirming that the state of said payment certificate is an “unused” state”

It is unclear to the examiner and one of ordinary skill in the art what is claim by this description. For the purposes of this review the examiner will interpret the claim to be:

"Once used changing statues to "used""

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 8, 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker (U.S. Patent 6,107,932) in view of Official notice.

Re claim 2 & 15: Walker discloses:

A system and method for exchanging documents, comprising:

A payment acceptance server connected to network (see Walker, Figure 2, item 220)

An application apparatus includes payment processing unit (see Walker, Figure 2, item 290)

Payment acceptance server includes payment acceptance process unit (see Walker, Figure 2, item 210)

Application apparatus includes a document transmit processing unit (see Walker, Figure 2, item 295)

Although Walker does not have Transmitting document, Official notice claims "Transmitting document"

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to add transmitting document instead of printing as taught in Official notice to Walker.

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It is clear that one would be motivated because customer does not need to be physically present to pick up printed ticket.

Document acceptance server includes a document acceptance processing unit (see Walker, Figure 2, item 295)

+ in Claim 2 only

Agent apparatus includes a document transmit processing unit (see Walker, Figure 2, item 295)

+ in Claim 3 only

Payment acceptance processing unit (see Walker, Figure 2, item 290)

Processing unit (see Walker, Figure 2, item 290)

+ in claim Claim 4 only

Ticket issue processing unit (see Walker, Figure 2, item 290)

Document transmit processing unit (see Walker, Figure 2, item 290)

Re claim 8: Walker discloses:

Once used changing statuses to "used" (see Walker, Figure 6, item 616)

Re claim 16 & 19: Walker discloses:

Payment certificate includes a management number as information of amount, applicant information, expiration date, and signature, plus info that fee payment can be guaranteed (see Walker, Figure 13A, item 1316)

Re claim 17: Walker discloses:

Once used changing statuses to "used" (see Walker, Figure 13A, item 1306)

Re claim 18: Walker discloses:

Storing and payment certification is in storage apparatus (see Walker, Figure 13A, item 1316)

Document acceptance server stores management number and a use state of payment certification in a correspondence manner (see Walker, Figure 13B, item 1328)

Examiners Note

In addition the examiner would like to note that while she choose Walker as a solid prior art reference the examiner believe this application reads on lots of prior art. It is important to note that simply automating an existing method does not make it novel. In other words, taking the patent filling or ticketing process and simply transferring the documents electronic does not make this a novel invention. There is lots of prior art this application reads on.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yuris et al., U.S. Patent No 4,247,709, discloses self-service ticketing.

Contact Information

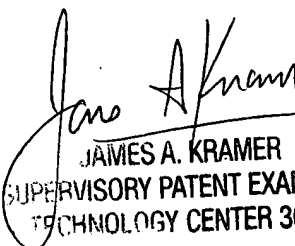
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirsten S. Apple whose telephone number is 571.272.5588. The examiner can normally be reached on Monday - Friday 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-272-6126.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksa

 3/27/07
JAMES A. KRAMER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600